



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Charles L. CYWIN, et al) Art Unit: 1614
U.S. Appln. No. : 10/730,172) Examiner: N/A
Confirmation No. : Not Yet Assigned
U.S. Filing Date : December 6, 2003
Title of Invention : Substituted 3-amino-thieno [2,3-b] pyridine-2-carboxylic acid amide
compounds and processes for preparing and their uses
Attny. Docket No. : 9/244-1-C1

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

January 27, 2004

TRANSMITTAL LETTER FOR INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents listed herein and on the attached PTO-1449 form and which the Examiner may deem relevant to patentability of the claims of the above-identified application. Copies of the citations listed on the PTO-1449 form are filed in US Application No. 10/453,175, filed on June 3, 2003, Charles Cywin, et al. (Attorney Docket No. 9/244).

☒ 1.97(b). This Statement is being filed: i) within three (3) months of the filing date of a national application other than a continued prosecution application under 33 C.F.R. §1.53 (d); ii) within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; iii) before the mailing of a first Office action on the merits; or iv) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

☐ 1.97(c). This Statement is being filed after the time period specified in 37 C.F.R. §1.97(b), but before the mailing date of: i) a final action under 37 C.F.R. §1.113, ii) a notice of allowance under 37 C.F.R. §1.311, or iii) an action that otherwise closes prosecution in the application. This Statement is being accompanied by:

☐ A statement as specified in 37 C.F.R. §1.97(e) [see below]; or

☐ The fee set forth in 37 C.F.R. §1.17(p).

☐ The Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.

☐ 1.97(d). This Statement is being filed after the period specified in 37 C.F.R. §1.97(c) but on or before payment of the issue fee. This Statement is accompanied by a statement as specified in 37 C.F.R. §1.97(e) [see below] and the fee set forth in 37 C.F.R. §1.17(p).

☐ 1.97(e).

☐ Each item of information contained in the instant information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the instant information disclosure statement; or

☐ No item of information contained in the instant information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in the instant information disclosure statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three (3) months prior to the filing of the instant information disclosure statement.

☐ The fee set forth in 37 C.F.R. §1.17(p).

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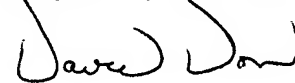
☐ 1.704(d). Each item of information contained in the accompanying information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, which communication was not received by any individual designated in section 1.56(c) more than thirty (30) days prior to the filing of the accompanying information disclosure statement.

☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. §1.16 and any patent application processing fees under 37 C.F.R. §1.17, or credit any overpayment of same, to Deposit Account No. 02-2955.

PTO form 1449 submitted herein cites the same references cited in an IDS submitted for Application No. 10/453,175 dated January 26, 2004. Copies of the cited references have not been submitted herein since it is believed that copies of cited references do not need to be resubmitted in Continuation in Part Applications. MPEP 609 (I)(A)(2).

Triplicate copies of this form are enclosed.

Respectfully submitted,



David A. Dow
Attorney for Applicant(s)
Reg. No. 46,124

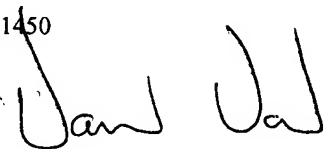
Patent Department
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Date: January 27, 2004

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Sheet

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of

3

Application Number

10/730.172

Filing Date

12/06/03

First Named Inventor

Charles L. CYWIN et al

Art Unit

1614

Examiner Name

	N/A
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Attorney Docket Number

9/244-1-C1

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Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		WO 03/037886 A2	05/08/2003	PHARMACIA CORPORATION		
		WO 01/68648 A1	09/20/2001	Aventis Pharma Deutschland GMBH		
		WO 01/58890 A1	08/16/2001	ASTRAZENECA AB		
		WO 01/30774 A1	05/03/2001	Aventis Pharma Deutschland GMBH		
		WO 00/75145 A1	12/14/2000	ABBOTT LABORATOREIS		

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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3

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Application Number	10/730,172
Filing Date	12/06/03
First Named Inventor	Charles L. Cywin, et al.
Art Unit	1614
Examiner Name	N/A
Attorney Docket Number	9/244-1-C1

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

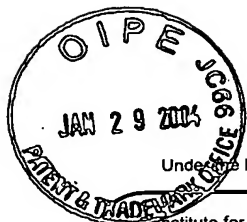
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		WO 00/61586	10/19/2000	GERRITSMA, Gerritina, et al.		
		WO 01/00610 A1	01/04/2004	Aventis Pharma Deutschland GMBH		
		WO 92/03427	03/05/1992	YOSHITOMI PHARMACEUTICAL INDUSTRIES, LTD.		

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Sheet 3 of 3

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Application Number 10/730,172

Filing Date 12/06/03

First Named Inventor Charles L. CYWIN et al

Art Unit 1614

Examiner Name N/A

Attorney Docket Number 9/244-1-C1

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		ALBERT S. BALDWIN, JR., The NF-kB and Ikb Proteins: New Discoveries and Insights, Annu. Rev. Immunol. 1996, 14: 649-681	
		TOSHIKI MURATA, et al, Discovery of Novel and Selective IKK-B Serine-Threonine Protein Kinase Inhibitors. Part 1, Bioorganic & Medicinal Chem Letters, 2003 13:913-918 Elsevier Science Ltd.	
		XP-002254095 Abstract, "Synthesis of Novel Heterocyclic Compounds for Antitumor and Radioprotective Activities"	
		M.-M. GHORAB, et al., "Synthesis of Novel Heterocyclic Compounds for Antitumor and Radioprotective Activities", Phosphorus, Sulfur, and Silicon, 1998 Vol. 134/135, pp 447-462	
		XP-002254099 Abstract, "Use of benzo- and pyrido-furan or -thiophene cpds. - as hypercalcaemia agents for treating osteoporosis"	
		XP-002254097 Abstract, "Synthesis and Antimicrobial Evaluation of Several New Pyridine, Thienopyridine and Pyridothienopyrazole Derivatives"	
		F.A. ATTABY, et al., "Synthesis and Antimicrobial Evaluation of Several New Pyridine, Thienopyridine and Pyridothienopyrazole Derivatives", Phosphorus, Sulfur, and Silicone, 1999, Vol. 149, pp 49-64	
		E.I. KAIGORODOVA, et al., "Synthesis of Substituted 2-Alkyl(Aryl)Thio-3-Cyanopyridines and 3-Aminothieno[2,3-b] Pyridines", Chem. Heterocyclic Compounds, Vol. 32, No. 10, pp 1234-1238 1996	
		G. WAGNER, et al., "Synthese neuer prim., sek. und tert. 3-Amino-thieno[2,3-b]pyridin-2-carbonsaureamide auf verschiedenen Wegen", Vol. 45, 1990, pp 102-109,	

Examiner Signature	Date Considered
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